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LETTER DATED 22 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In response to the letter dated 22 January 1993 submitted to the Security Council by the President of the Federal Republic of Yugoslavia (Serbia and Montenegro), Mr. Dobrica Cosic (S/25139), I have been instructed by my Government to give an explanation of the recent limited and completed action of the Croatian Police Forces and Croatian Army units on the territory of Croatia, aimed to secure the perimeter of the Maslenica-bridge rebuilding site.

In his letter to the President of the Security Council (S/24934) dated 9 December 1992, the President of Croatia, Mr. Franjo Tudjman, asked, inter alia, for the speed up of the implementation of the Vance plan, especially with regard to the opening of the transportation and communication routes, including the Adriatic Highway and the rebuilding of the Maslenica bridge.

The Adriatic Highway is the only link to the coastal Croatian region of Dalmatia and its reopening is therefore essential for the transport of humanitarian assistance to that region, as well as to Bosnia and Herzegovina. The present limited action of the Croatian forces was aimed at establishing control over certain areas in the "pink zones" in order to start the reconstruction of the destroyed bridge in the area and to reopen the only airport in the Zadar region.

The Croatian Government has only recently informed the Co-Chairmen of the Conference on the Former Yugoslavia on its intention to establish control over this territory in the "pink zones", whose restoration to Croatian authority was envisaged by the reports of the Secretary-General concerning Security Council resolution 762 (1992).

I would like to refer to paragraph 3 of the Secretary-General's report (S/24188) in which he emphasized that "the Croatian authorities are correct in their interpretation of the plan approved by the Security Council, which does

not provide for any change in the UNPAs boundaries" and "therefore they were under no obligation to agree to an adjustment of the agreed boundaries in those sectors in order to circumvent the problem". In spite of this, Croatia accepted the establishment of the so-called "pink zones" and has actively been cooperating with the United Nations Protection Force (UNPROFOR) in achieving the major goals of the peace plan. As the result of that, the Secretary-General expressed "special gratitude to the Government of Croatia for the flexibility it has shown in response to the Force Commander's efforts to find a solution to the question of the 'pink zones'" (S/24353, para. 26).

The Secretary-General stated that "prior to the reinstatement of Croatian authority in the 'pink zones', a general amnesty in regard to events associated to the conflict would be brought into effect by the Government of Croatia, thus also helping to create a climate of security in which displaced persons could return to their homes" (S/24188, para. 16 (f)). On 25 September 1992, the Croatian Parliament fulfilled this obligation by adopting the Amnesty Act. In spite of this, the process of reintegrating these areas into the legal, economic and social system of Croatia has not begun, nor is there the beginning of the process of "restoration of authority by the Croatian police and the re-establishment of the local police in proportion to the demographic structure of the areas prior to the conflict" (S/24188, para. 16 (d)).

It is the opinion of the Secretary-General based upon the reports in the field that "the root cause of the deterioration in the United Nations protected areas since late July has been the Knin authorities' decision to create new paramilitary forces. This action is inconsistent with the demilitarization of the United Nations protected areas and is thus a blatant violation of the United Nations plan" (S/24600, para. 34). This is similar to what occurred in the "pink zones" directly undermining the stability of Croatia and threatening its national security.

In response to the letter of the President of the Federal Republic of Yugoslavia (Serbia and Montenegro), I have to draw your attention to the fact that President Cosic speaks of an armed attack against "the territory of the Republic of Serbian Krajina". This is contrary to the terms of the Vance plan and clearly demonstrates that the Federal Republic of Yugoslavia (Serbia and Montenegro) recognizes this self-proclaimed entity within the international boundaries of Croatia. President Cosic also mentions the "former Republic of Bosnia and Herzegovina", indicating that he does not recognize the sovereignty and territorial integrity of this State Member of the United Nations.

Furthermore, by claiming the right of the Federal Republic of Yugoslavia (Serbia and Montenegro) to protect the Serbian people in the Republic of Croatia, President Cosic is threatening a new aggression by the Yugoslav army against Croatia. If that occurs, the Croatian people and their Government reserve the right to protect and defend the territory of Croatia from any foreign military aggression, and are ready to use all necessary means in fulfilling this task.

The Government of Croatia is committed to the peace plan for Bosnia and Herzegovina proposed by the Co-Chairmen of the Conference on the Former Yugoslavia and to the full implementation of the Vance plan in Croatia, being aware that the full success of this Conference is the only way to bring lasting peace to the region of former Yugoslavia.

I would like to ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative